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Attorneys for Defendant Marine Vacuum Service, Inc.

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

ARKEMA INC., a Pennsylvania corporation, et  
al.,

Plaintiffs,

v.

A & C FOUNDRY PRODUCTS, INC., an  
Oregon corporation, et al.,

Defendants.

**3:09-CV-453-PK**

**MARINE VACUUM SERVICES, INC.'S  
OBJECTION TO PROPOSED ORDER  
OF STAY**

Defendant Marine Vacuum Services, Inc. (hereinafter "MVSI") hereby submits this  
Objection to Proposed Order of Stay [Docket No. 277].

During oral argument on Plaintiffs' motion for stay the Court indicated that it would  
likely require plaintiffs to turn over to defendants in the instant case any information or  
documents gathered by the Alternative Dispute Resolution (ADR) Group which establish that a  
defendant in the instant litigation contributed to or did not contribute to the contamination of the  
Willamette River.

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MVSI objects to the Proposed Order of Stay to the extent that it does not reflect the Court's intention to require plaintiffs to provide such information gathered by the ADR Group during the course of the ADR process.<sup>1</sup>

DATED this 30<sup>th</sup> day of December, 2009.

GORDON & REES LLP

By: /s/ Donald J. Verfurth

Donald J. Verfurth, OSB No. 066480  
Attorneys For: Defendant Marine Vacuum  
Service, Inc.

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<sup>1</sup> MVSI ordered a copy of the transcript of the Courts ruling on Plaintiffs' motion to stay on the day of the hearing. However, MVSI has not yet received the transcript to date. To the extent the Court deems it necessary to review the transcript of its ruling prior to making a determination on the instant objection filed by MVSI we request that the Court do so.

CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2009, I served a copy of the foregoing via the CM/ECF filing system to all parties on record.

/s/ Donald J. Verfurth

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